



WEB COPY



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.04.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P No.11761 of 2023

Tamimul Ansari

Petitioner

vs.

1.The Chairman,
Tamil Nadu Waqf Board,
No.1, Jaffar Syrang Street,
Vallal Seethakathi Nagar,
Chennai – 600 001.

2.The Superintendent of Waqfs/Election Officer,
Mayiladuthurai District,
Office at
Waqfs Superintendent Office,
Ali Khutha Dhaikal @ Eidga Pallivasal,
Railway Colony,
Thanjavur – 613 001.

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 14.02.2023 and there by direct the respondents to publish the final voters list and to conduct a fair election for Mohideen Andavar Pallivasal, Arangakudi, Tharangambadi Taluk, Mayiladuthurai District within stipulated time period



WEB COPY



For Petitioner : Mr.B.Sundarapandiyan

For Respondents : Mr.G.Mohammed Aseef
Standing Counsel

ORDER

This writ petition has been filed for issue of writ of mandamus directing the respondents to publish the final voters list in order to conduct a fair election for the Mohideen Andavar Pallivasal, Arangakudi, Tharangambadi Taluk, Mayildaduthurai District.

2.Heard Mr.B.Sundarapandiyan, learned counsel appearing on behalf of the petitioner and Mr.G.Mohammed Aseef, learned Standing Counsel appearing on behalf of the respondents.

3.The case of the petitioner is that the Mosque in question is administered by the Tamil Nadu Waqf Board. The Committee which was holding the responsibility of administering the Trust had committed huge misappropriation resulting in a loss to the Mosque. A previous election was conducted in the year 2013 and for more than ten years there was no election and the erstwhile Muthavalli was continuing to have complete control over the Mosque and the Waqf property.



4.The petitioner, who is the member of the Pallivasal made a representation in this regard requesting the 1st respondent to conduct the election and before proceeding further to conduct the election, to publish the final voters list. Since the same was not acted upon, the present writ petition has been filed before this Court.

5.Taking into consideration the facts and circumstances of the case and considering the limited relief sought for in this writ petition, there shall be a direction to the 1st respondent to start the process of conducting the election for the Mohideen Andavar Pallivasal, Arangakudi, Tharangambadi Taluk, Mayildaduthurai District and this process shall be completed, within a period of three months from the date of receipt of copy of this order. In order to ensure that a fair election is conducted, the final voters list shall be published within a period of four weeks and the election shall be conducted and completed within a period of eight weeks thereafter.

6.This writ petition is disposed of with the above terms. No Costs.

19.04.2023

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No

SSR



WEB COPY



N. ANAND VENKATESH, J.

SSR

To

- 1.The Chairman,
Tamil Nadu Waqf Board,
No.1, Jaffar Syrang Street,
Vallal Seethakathi Nagar,
Chennai – 600 001.
- 2.The Superintendent of Waqfs/Election Officer,
Mayiladuthurai District,
Office at
Waqfs Superintendent Office,
Ali Khutha Dhaikal @ Eidga Pallivasal,
Railway Colony,
Thanjavur – 613 001.

W.P No.11761 of 2023